

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR No.: 3:08-885-JFA
)	
v.)	ORDER
)	
TRAVIS LEON DAVIDSON)	
_____)	

This matter is before the court upon defendant's motion for free copies of various orders including copies of the final order in his § 2255 motion, transcripts of the case, judgment, discovery, and the presentence report. The defendant merely indicates that he needs these documents and cannot afford to pay for them.

The record reflects that the defendant's motion under 28 U.S.C. § 2255 was denied by this court on April 13, 2011. That matter was appealed by the defendant on April 25, 2011, and dismissed by the Fourth Circuit Court of Appeals on June 21, 2011.

The only matter pending before this court is the defendant's June 23, 2011 motion to compel the government to file a Rule 35 motion for the reduction of his sentence and such motion is awaiting a reply by the government. As that matter involves the question of whether the defendant provided substantial assistance to the government, this court sees no just cause for providing the defendant with free copies of other materials in his criminal and § 2255 cases.¹

¹ If the defendant wishes to purchase copies, he may write the Clerk of Court, who will then advise him of the cost of the copies which must be paid up-front and in full to the Clerk. If the defendant seeks a copy of his presentence report, he must write the United States Probation Office and request a copy from that office. If the defendant seeks a copy of the transcripts of his criminal proceedings, he must contact the court reporter directly and arrange for copies through the court reporter.

If the court determines that the documents are needed to decide the issues presented, then the court will direct copies be provided to the defendant. *See* 28 U.S.C.A. § 753(f) (West 2008); *United States v. Shoaf*, 341 F.2d 832, 833–34 (4th Cir.1964) (indigent defendant must show some need for transcript beyond his mere desire to comb the record in hope of discovering errors to raise in habeas).

Accordingly, the motion for free copies (ECF No. 230) is denied.

IT IS SO ORDERED.

July 15, 2011
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge